

D.B. CIVIL SPECIAL APPEAL (WRIT) NO. 292/2006
(Sri Gopal & Anr. Vs. State of Raj. & Ors.)
Date of order : 04.10.2007

HON'BLE MR. RAJESH BALIA, J.
HON'BLE MR. SANGEET LODHA, J.

Mr. Anil Vyas, for the appellant.

We have also heard the learned counsel for the appellant on the merit of this Special Appeal. We find that the appellant by way of petition has challenged the correctness of the voter list in which names of the respondents have been included according to two places and that need to be corrected.

The writ petition filed by the petitioner has been dismissed by learned Single Judge vide judgment under Appeal finding that on the basis of the said voter list, election have already been held and no relief can be given to the petitioner in respect thereof, in present petition. Therefore, petition has become infructuous.

We are in agreement with the learned Single Judge. So far as the currency of the voter list on the basis of which elections of panchayat have

taken place petitioner cannot get any relief.

So far as the petitioner's claim of correcting the voter list for the future elections is concerned, he is free to move before appropriate authority for correcting the voter list by raising his objections as and when the voter lists are prepared for conducting elections in future.

The appeal is accordingly dismissed in limine.

(SANGEET LODHA) J.

(RAJESH BALIA) J.